

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARK YAZELL,

Plaintiff

v.

C-1-06-399

COMMISSIONER OF
SOCIAL SECURITY,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate (doc. no. 19) denying plaintiff's Motion for Attorney Fees and Costs Under the Equal Access to Justice Act ("EAJA") (doc. no. 15) to which there are no objections.

Upon a *de novo* review of the record, the Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the recommendation of the Magistrate Judge.

Accordingly, the Court hereby **ADOPTS AND INCORPORATES HEREIN BY REFERENCE** the Recommendation of the United States Magistrate Judge (doc. no. 19). Plaintiff's Motion for Attorney Fees and Costs Under the Equal Access to Justice Act (doc. no. 15) is **DENIED**.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court